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10 Attorneys for Defendants
11 OFFICER CHRISTOPHER ALLEN-YOUNG (erroneously sued
12 herein as Torrance Police Department Officer Young), and
13 OFFICER JOSHUA SATTERFIELD (erroneously sued
14 herein as Torrance Police Department Officer Satterfield)

15 UNITED STATES DISTRICT COURT

16 FOR THE CENTRAL DISTRICT OF CALIFORNIA

17 DIRUL ROBINSON, an individual,

18 Plaintiff,

19 vs.

20 CITY OF TORRANCE; TORRANCE
21 POLICE DEPARTMENT; TORRANCE
22 POLICE DEPARTMENT OFFICER
23 SATTERFIELD; TORRANCE POLICE
24 DEPARTMENT OFFICER YOUNG;
25 TORRANCE POLICE DEPARTMENT
26 OFFICER WALLACE; TORRANCE
27 POLICE DEPARTMENT OFFICER
28 TOMSIC; DOE POLICE OFFICERS 1-
20, inclusive; and DOE
CORRECTIONAL OFFICERS 1-20,
inclusive,
Defendants.

) Case No.: 2:22-cv-05173-RGK(Ex)

)

) **[PROPOSED] FINAL PRE-
TRIAL CONFERENCE ORDER**

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) DATE: 6/5/23

) TIME: 9:00 a.m.

) CTRM.: 850

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) Trial Date: June 13, 2023

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) *Complaint filed 7/26/22*

) *First Amended Complaint filed*

) *9/8/22*

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1 Following pre-trial proceedings, pursuant to Federal Rule of Civil Procedure
2 Rule 16 and Local Rule 16, IT IS ORDERED:

3 **1. THE PARTIES AND PLEADINGS:**

4 Plaintiff Dirul Robinson

5 Defendant Joshua Satterfield

6 Defendant Christopher Allen-Young

7 Plaintiff filed his original complaint on July 26, 2022. The original complaint
8 named the City of Torrance, Torrance Police Department, Torrance Police Officer
9 Young, Torrance Police Officer Satterfield, Torrance Police Officer Young, Torrance
10 Police Officer Wallace, and Torrance Police Officer Tomsic. The original complaint
11 asserted four causes of action, violation of civil rights: Unlawful Search And Seizure,
12 Violation Of Civil Rights Excessive Force, Violation Of Civil Rights First
13 Amendment, And Violation Of Civil Rights *Monell* Claim. Plaintiff filed his First
14 Amended Complaint on September 8, 2022. Plaintiff asserted causes of action under
15 42 U.S.C. § 1983 claims for: (1) Unlawful Seizure; (2) Unlawful Seizure *Monell*
16 Claim; (3) Excessive Force; and (4) Excessive Force *Monell* Claim.

17 Defendants Satterfield and Young answered the First Amended Complaint on
18 September 22, 2022. On September 23, 2023, defendants the City of Torrance and
19 Wallace filed a Motion to Dismiss as to all causes of actions asserted against them in
20 the First Amended Complaint. This Court granted the City of Torrance and Wallace's
21 Motion to Dismiss on December 7, 2022. On November 8, 2022, defendant Tomsic
22 filed a Motion to Dismiss as to all causes of actions asserted against them in the First
23 Amended Complaint. This Court granted Tomsic's Motion to Dismiss on December
24 15, 2022.

25 There are two remaining causes of action asserted against defendants Young and
26 Satterfield, Unlawful Seizure, and Excessive Force.

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1 **2. JURISDICTION:**

2 It is stipulated that subject matter jurisdiction over this action exists under 28
3 U.S.C. § 1331, and venue is proper in this District and this Division pursuant to 28
4 U.S.C. § 1391(b)(1).

5 **3. TRIAL DURATION:**

6 The trial is estimated to take 3-4 days.

7 **4. JURY TRIAL:**

8 The trial is to be a jury trial.

9 Plaintiff and Defendants shall serve and file Joint Jury Instruction, Plaintiff's
10 Disputed Jury Instruction, and Defendants' Disputed Jury Instruction by no later than
11 May 29, 2023.

12 **5. ADMITTED FACTS:**

13 The following facts are admitted and require no proof:

- 14 a. The subject incident occurred on June 24, 2018;
15 b. Joshua Satterfield was a Patrol Officer for the City of Torrance on
16 June 24, 2018; and
17 c. Christopher Allen-Young was a Patrol Officer for the City of
18 Torrance on June 24, 2018.

19 **6. STIPULATED FACTS:**

20 The following facts, though stipulated, shall be without prejudice to any
21 evidentiary objection: None.

22 **7. PARTIES' CLAIMS AND DEFENSES:**

23 **Plaintiff's Claims:**

- 24 (a) Plaintiff plans to pursue the following claims against Defendants:

25 **Claim 1:** Fourth Amendment claim for Unlawful Seizure against Defendants
26 Joshua Satterfield and Christopher Allen-Young;

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Claim 2: Fourth Amendment claim for Excessive Force against Defendants Joshua Satterfield and Christopher Allen-Young.

The Elements Required to Establish Plaintiff's Claims Are:

Claim 1: Unlawful Seizure

Under the Fourth Amendment, a person has the right to be free from an unreasonable seizure of his person. In order to prove the defendants deprived the plaintiff of this Fourth Amendment right as integral participants in his seizure, the plaintiff must prove the following additional elements by a preponderance of the evidence:

1. Officers other than the defendants seized the plaintiff's person;
2. In seizing the plaintiff's person, those other officers acted intentionally;
3. The seizure was unreasonable; and
4. Defendants Joshua Satterfield and Christopher Allen-Young were integral participants in the seizure by setting in motion a series of acts by those other officers which Mr. Satterfield and Mr. Allen-Young knew or reasonably should have known would cause those officers to deprive the plaintiff of his rights.

Defendants Dispute These Elements as Outlined in Defendants' Section Below.

Claim 2: Excessive Force

1. Each Defendant acted under the color of state law;
2. Each Defendant used excessive force against Plaintiff;
3. The use of excessive force was a cause of injury, damage, or harm to Plaintiff.

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The Key Evidence Plaintiff Relies on for Each Claim:

1. Testimony of Plaintiff;
2. Testimony of Joshua Satterfield;
3. Testimony of Christopher Allen-Young;
4. Audio recording of subject traffic stop;
5. Video recording of subject traffic stop;
6. Traffic Collision Report by Inglewood Police Department;
7. Police Report of Torrance Police Department on plaintiff's arrest;
8. Testimony of Roger Clark;
9. Testimony of Brandon Ford;
10. Testimony of Shawn Garbutt;
11. Testimony of Paulette Just;
12. Testimony of Tawana Tyler;
13. Testimony of Quentin Durity; and
14. Testimony of Sean O'Rourke.

Defendant's Affirmative Defenses

Defendant plans to pursue the following affirmative defenses:

Defense 1: Reasonable Suspicion

Each Officer had a reasonable suspicion to initiate the traffic stop.

Defense 2: Reasonableness of Force Used

The alleged use of force was reasonable.

Defense 3: Lack of Causation

Defendants submit Plaintiff's damages should be limited to those directly associated with the Defendant's traffic stop and alleged use of force (drawing weapon) before Plaintiff fled; and Plaintiff's damages associated with his activities after he fled, and alleged constitutional violations by others, including his subsequent arrest by other officers, the DA's prosecution of him, his no contest plea and incarceration are not recoverable against these Defendants.

Defense 4: Qualified Immunity

Officers submit they are entitled to qualified immunity on plaintiff's seizure and excessive force causes of action as their conduct was not a constitutional violation and the right allegedly violated was not clearly established.

Defense 5: Mitigating Damages

Plaintiff failed to mitigate his damages.

The Key Evidence Defendants Rely on for Each Defense:

1. Testimony of Plaintiff;
2. Testimony of Joshua Satterfield;
3. Testimony of Christopher Allen-Young;
4. Audio recording of subject traffic stop;
5. Video recording of subject traffic stop;
6. Video recordings of the plaintiff's auto collision;
7. Traffic Collision Report by Inglewood Police Department;
8. Police Report of Torrance Police Department on plaintiff's arrest; and
9. Testimony of Clarence Chapman.

Defendants Elements to Plaintiff's Claim 1: Unlawful Seizure:

Under the Fourth Amendment, a person has the right to be free from an unreasonable seizure of his person. In order to prove the defendant[s] deprived the plaintiff of this Fourth Amendment right, the plaintiff must prove the following additional elements by a preponderance of the evidence:

1. Joshua Satterfield and/or Christopher Allen-Young seized the plaintiff's person;
2. In seizing the plaintiff's person, Joshua Satterfield and/or Christopher Allen-Young acted intentionally; and
3. The seizure was unreasonable.

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1 **8. REMAINING TRIABLE ISSUES:**

2 In view of the admitted facts and the elements required to establish the claims
3 and affirmative defenses, the following issues remain to be tried:

- 4 a. Whether the defendants' alleged first instance of use of force
5 captured on video was reasonable under the totality of the
6 circumstances.
- 7 b. Whether the defendants' alleged second instance of use of force
8 which was not captured on video was reasonable under the totality
9 of the circumstances;
- 10 c. Whether the defendants alleged illegal use of force, alleged
11 untruthful police report, and alleged untruthful criminal
12 proceeding's testimony set in motion a series of acts by others
13 which the defendants knew or reasonably should have known
14 would cause others to inflict the alleged unconstitutional seizure of
15 plaintiff in prison; and
- 16 d. Whether plaintiff's damages are limited to the emotional/physical
17 injury directly related to the alleged conduct during the traffic stop.
18 Plaintiff's subsequent damages after fleeing leading to his arrest,
19 incarceration, and alleged violations of his rights by others, are not
20 related to this traffic stop.

21 **9. DISCOVERY:**

22 All discovery is complete other than expert witness depositions.

23 **10. DISCLOSURES AND EXHIBIT LIST:**

24 All disclosures under Fed. R. Civ. P., Rule 26(a)(3) have been made.

25 The Joint Exhibit List of the parties has been filed under separate cover as
26 required by L.R. 16-6.1 ("Joint Exhibit List") on May 15, 2023.

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1 **11. WITNESS LISTS:**

2 The Joint Witness List was filed in accordance with the Court's Jury Trial Order
3 on May 15, 2023.

4 **12. MOTIONS IN LIMINE:**

5 Motions in Limine were filed on May 12, 2023.

6 **Plaintiff's Motions in Limine:**

- 7 a. Plaintiff's Motion in Limine #1 to exclude evidence of his withdrawn plea
8 agreement; and
9 b. Plaintiff's Motion in Limine #2 to exclude evidence of his prior gang
10 membership.

11 **Defendants' Motions in Limine:**

- 12 a. Defendants' Motion in Limine #1 to exclude other alleged misconduct;
13 b. Defendants' Motion in Limine #2 to exclude plaintiff's subsequent
14 arrests, criminal prosecution, no contest plea, and incarceration;
15 c. Defendants' Motion in Limine #3 to exclude opinions of plaintiff's expert
16 Roger Clark;
17 d. Defendants' Motion in Limine #4 to preclude reference or entering into
18 evidence any text messages subsequent to the subject incident; and
19 e. Defendants' Motion in Limine #5 to preclude any reference to the post
20 incident employment status of the defendants.

21 **13. BIFURCATION**

22 The defendants request the Court to try the issue of liability/compensatory
23 damages separate and apart from the issue of punitive damages.

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1 **14. ADMISSIONS**

2 The foregoing admissions having been made by the parties, and the parties
3 having specified the foregoing issues remaining to be litigated, this Final Pre-Trial
4 Conference Order shall supersede the pleadings, and govern the course of the trial of
5 this cause, unless modified to prevent manifest injustice.

6 DATED: May 25, 2023

SMITH LAW OFFICES, LLP

7
8 By: /s/ Douglas C. Smith

9 Douglas C. Smith
Daniel W. Ferris
Attorney for Defendants
10 OFFICER CHRISTOPHER ALLEN-
YOUNG (erroneously sued herein as
11 Torrance Police Department Officer Young),
and OFFICER JOSHUA SATTERFIELD
12 (erroneously sued herein as Torrance Police
Department Officer Satterfield)
13

14 DATED: May 25, 2023

GAMMILL LAW, APC

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16 By: /s/ David w. Gammill

17 David W. Gammill
Attorney for Plaintiff
18 DIRUL ROBINSON
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